

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>vs.</b>	)	<b>Criminal Action No. 23-00022-KD-B</b>
	)	
<b>RAIMUNDO CEDENO, JESUS ACUNA,</b>	)	
<b>and RANDY GADJAHAR,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Upon *sua sponte* review of the docket, the Court finds that Defendants Jesus Acuna and Randy Gadjahar moved the Court to join and adopt Defendant Raimundo Cedeno's Motion to Dismiss the Indictment (docs. 112, 113). Accordingly, the Order denying the Motion to Dismiss is VACATED (doc. 114) and Defendant Acuna's and Gadjahar's motions to join and adopt are GRANTED.

Accordingly, this action is now before the Court on the Motion to Dismiss the Indictment filed by Defendant Cedeno (doc. 98), joined and adopted by Defendants Acuna and Gadjahar (doc. 112, 113), and the United States response (doc. 109). Defendants argue that the Indictment should be dismissed because the Maritime Drug Law Enforcement Act (MDLEA) 46 U.S.C. § 70501, *et seq.*, is unconstitutional on its face and as applied to them, and that their right to a speedy trial has been violated. See 18 U.S.C. § 3161, *et seq.*<sup>1</sup>

---

<sup>1</sup> Cedeno objects to the United States' alleged failure to timely produce discovery (doc. 98, p. 13). However, Cedeno does not appear to have complied with S.D. Ala. Criminal Local Rule 16(d) which states that as to "Motions for Discovery", "No attorney shall file a discovery motion without first conferring with opposing counsel, and *no motion will be considered by the Court unless it is accompanied by a certification of such conference and a statement of the moving party's good faith efforts to resolve the subject matter of the motion by agreement with* (Continued)

Upon consideration, and for reasons set forth in the United States' response, which the Court adopts and incorporates as the rationale for its decision, the Motions to Dismiss are denied.

**DONE** and **ORDERED** this 25th day of April 2023.

/s / Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**

---

*opposing counsel.*” (Emphasis added). Additionally, the United States’ reports that it has sent the discovery to Cedeno’s counsel (doc. 109, p. 8).